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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/593,008

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David Libault

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EXAMINER

NGO, CHUONG A

ART UNIT

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2617

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/593,008	<b>Applicant(s)</b> LIBAULT ET AL.	
	<b>Examiner</b> CHUONG A. NGO	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. This action is in response to the communication mailed on December 4, 2008, applicant has submitted an Amendment, Filed on May 1, 2009.
2. Claims 1-26 are pending in this action.
3. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Specification***

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

5. The abstract of the disclosure is objected to because abstract included "comprising". "comprising" should be changed to "including". Correction is required. See MPEP § 608.01(b).

- 6.

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7. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

8. The disclosure is objected to because of the following informalities: The layout was incorrected.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

10. Claims 1-4, 6-26 are rejected under 35 U.S.C. 102(a) as anticipated by US Patent Application Public 20050250536 (hereinafter Deng).

Regarding claim 1, Deng discloses “Local radio communication device comprising at least” (**see abstract**): “one IP point of access adapted to communicate at least outwards from the network in IP mode” (**see paragraphs [0101], Fig. 1 and 17, Deng discusses IP mode as connect to the internet**), “a point-to-point communication module adapted to communicate at least with a terminal according to at least one point-to-point communication protocol” (**see paragraph [0013]**), and “a first interface adapted to allow the IP access point to communicate with the point-to-point communication module” (**see Fig. 1, Module 5**), wherein “the first interface is adapted to be presented to an electronic device communicating in IP mode with the IP access point, in the form of at least one virtual port and the said first interface is adapted to be controlled by the said electronic device by means of control instructions” (**see paragraph [0083]-[0088] and Fig. 19**).

Regarding claim 2, Deng discloses “wherein the point-to-point communication module is adapted to communicate with the terminal by a serial radio link” (**see paragraph [0019]**).

Regarding claim 3, Deng discloses “wherein the point-to-point communication module is adapted for communicating with the terminal according to the "BLUETOOTH" protocol by using a predefined serial port profile in the said "BLUETOOTH" protocol” (**see paragraph [0013]**).

Regarding claim 4, Deng discloses “wherein the IP access point is connected to the Internet network” (see paragraph [0095]).

Regarding claim 6, Deng discloses “wherein the IP access point communicates with a local electronic device in IP mode” (**see Fig. 17**).

Regarding claim 7, Deng discloses “wherein the IP access point communicates in IP mode with the local electronic device by radio channels according to the standard IEEE 802.11” (**see Fig. 54**).

Regarding claim 8, Deng discloses “wherein the IP access point communicates in IP mode with the local electronic device by a link chosen between a USB link and an Ethernet link” (**see Fig. 1, module 8 and module 5**).

Regarding claim 9, Deng discloses “moreover, the said electronic device and wherein the electronic device is adapted to be connected to a predetermined IP address corresponding to the said access point during the opening of the said virtual serial link, and thus to control the said first

interface by the "AT" instructions" (**see paragraph [0088], Hyperterminal**).

Regarding claim 10, Deng discloses "wherein the first interface is adapted to be presented to the electronic device communicating with the IP access point, in the form of several virtual serial ports corresponding respectively to several terminals adapted to communicate by radio with the point-to-point communication module" (**see Fig. 1**).

Regarding claims 11-14 have the limitations similar to those treated in the above rejection, and are met by the references as discussed in claim 10.

Regarding claim 15 has the limitations similar to those treated in the above rejection, and are met by the references as discussed in claim 1.

Regarding claim 16, Deng discloses "wherein the point-to-point communication module is adapted to be presented to the terminal at least like a printer, and to route the data to be printed, received from the terminal to a printer that communicates in EP mode with the IP access point" (**see paragraph [0052], USB or parallel**).

Regarding claim 17, Deng discloses "wherein the point-to-point communication module is adapted to be presented to the terminal at least like a serial port, and to route a communication initiated by the terminal, to an electronic device that communicates in IP mode with the IP access point" (**see paragraph [0052]**).

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Regarding claims 18-21 have the limitations similar to those treated in the above rejection, and are met by the references as discussed in claim 1.

Regarding claim 22, Deng discloses “wherein the first interface is adapted to transfer, on request, the objects of the terminal between the said terminal and a predetermined storage entity” (**see paragraph [0064]**).

Regarding claims 23-26 have the limitations similar to those treated in the above rejection, and are met by the references as discussed in claim 1.

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Public 20050250536 (hereinafter Deng) in view of US Patent Application Public 20010053135 (hereinafter Carpelan).

Regarding claim 5, Deng does not explicitly disclose “an ADSL interface”. However, attention is directed to Carpelan, which teaches “an ADSL interface” (**see paragraph [0018] and Fig. 1**).



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Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was make to modify the Deng invention, and have an ADSL interface, as taught by Carpelan, thereby, providing a device can support multiple interfaces, as discussed by Carpelan, (see paragraphs [0001]-[0005]).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG A. NGO whose telephone number is 571-270-7264. The examiner can normally be reached on Monday through Thursday 6:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on 571-272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHUONG A NGO/  
Examiner, Art Unit 2617

/NICK CORSARO/  
Supervisory Patent Examiner, Art Unit 2617